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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,516	10/21/2003	Michael Hammond	115438-069	8650

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BELL, BOYD, & LLOYD LLP
P.O. BOX 1135
CHICAGO, IL 60690

EXAMINER	
LANEAU, RONALD	

ART UNIT	PAPER NUMBER
3714	

MAIL DATE	DELIVERY MODE
10/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/689,516	HAMMOND ET AL.	
	Examiner	Art Unit	
	Ronald Laneau	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 September 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *17-24* is/are allowed.

6)☒ Claim(s) *1-16 and 25-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-12, 14-16, 25, 26, and 28-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Ng (US 6,042,478).

As per claims 1 and 25, Ng discloses a hand held electronic device, comprising: a main body including a connector adapted to electrically and mechanically connect said main body to a separable electronic game (fig. 4, 87), first and second ports sized to receive first and second game cartridges of the electronic game (col. 3, line 61 to col. 4, line 6), respectively, each of said first and second ports having an electrical connection that is electrically connectable to the respective first and second game cartridges (see fig. 2, 81, 82), and a processor adapted to electrically connect the electronic game to the first and second game cartridges through said first and second ports (see fig. 5, 100).

As per claims 2-7, Ng discloses a hand held electronic device that includes a portion of the electronic game; wherein said connector is adapted to be received in a portion of the electronic game; wherein said main body includes a recessed portion adapted to receive a portion

of the electronic game; wherein said connector is disposed in said recessed portion of said main body; wherein said connector is adapted to be received in a portion of the electronic game; wherein said connector includes at least one electrical contact for electrically connecting to the electronic game (see figs 2-4).

As per claim 8, Ng discloses a hand held electronic device wherein said connector is a extension member having a shape substantially identical to the game cartridges of the electronic game (see figs. 2, 3)

As per claim 9, Ng discloses a hand held electronic device wherein said first and second ports define access openings in first and second sides of said main body (see fig. 2).

As per claims 10 and 11, A hand held electronic device wherein said first and second sides are substantially perpendicular to one another; wherein said first and second sides are substantially parallel and opposite one another (Ng inherently discloses such limitations based on the way you hold the handheld device and see which sides are parallel and perpendicular to each other).

As per claim 12, Ng discloses a hand held electronic device wherein each of said electrical connections of said first and second ports is an electrical contact (see fig. 2, 82, 83).

As per claims 14, 15 and 30, Ng discloses a hand held electronic device wherein a selection member (switch) is electrically connected to said processor and includes at least first and second selectable positions corresponding to said first and second ports, respectively, said selection member communicates to said processor when said selection member is in said first and second positions (see figs. 1 and 5).

As per claim 16, Ng disclose a hand held electronic device according to claim 1, wherein the electronic game is a hand held electronic game (see fig. 1).

As per claim 26, Ng discloses a method further comprising the step of: inserting the first and second game cartridges into the first and second ports, respectively, of the hand held electronic device (see fig. 2, elements 81, 82).

As per claims 28 and 29, Ng inherently discloses a method that couples the hand held electronic game to the hand held electronic device (see fig 3).

As per claim 31, Ng discloses a hand held electronic device, comprising: a main body including a connector adapted to electrically and mechanically connect said main body to a separable electronic game (fig. 4, 87), inherently discloses a first communications device configured to communicate with a first game storage device, the first game storage device storing a first game of the electronic game, a second communications devices configured to communicate with a second game storage device, the second game storage device storing a second game of the electronic game (Ng uses the first and second port to communicate with said electronic game, the ports are a means of communication), and a processor adapted to establish a communications link between the electronic game and the first game storage device or the second game storage device, and a processor adapted to electrically connect the electronic game to the first and second game cartridges through said first and second ports (see fig. 5, 100).

As per claim 32, Ng inherently discloses a hand held electronic device wherein the first communications device includes a port, wherein the first game storage device is configured to mate with the port as claimed (see fig. 2).

Claim Rejections – 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 13 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng (US 6,042,478).

As per claims 13 and 27, Ng does not explicitly disclose a third port but it is well known in the gaming area to have a hand held electronic which includes a plurality of ports or at least three ports for connecting a game cartridge.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize a third port into the system of Ng because it would provide a greater flexibility in terms of the numbers of available game into the hand held electronic game.

Allowable Subject Matter

6. Claims 17- 24 are allowed.

None of the references, either singularly or in combination, discloses or even suggests:

As per claims 17-24, a hand held electronic device, comprising: a recessed portion adapted to releasably receive a base of a separate electronic game, said recessed portion having a connector connectable to the base of the electronic game, first, second and third ports each having an access opening disposed in one of said first, second and third sides, respectively, each of said first, second and third ports being adapted to receive a game cartridge of the electronic

game and an electrical contact of each port providing electrical connection between said ports and the respective game cartridges.

Response to Arguments

7. Applicant's arguments filed on 9/21/07 have been fully considered but they are not persuasive.

Applicant argues that while Ng describes the game cartridge 91 as being separably connectable to the electronic game, Ng does not describe or disclose that game cartridge 91 includes ports to receive first and second other game cartridges or a processor and does not disclose or suggest a main body including a connector adapted to electrically and mechanically connect the main body to a separable electronic game, first and second ports sized to receive first and second cartridges of the electronic game, respectively, and a processor. In response to Applicant's arguments, Ng discloses a connector for transferring and receiving information over a bi-directional communication link in which a communication cartridge allows communication over the Internet and allows for interactive play of a video game. Furthermore, Ng also discloses a connector for transferring and receiving information over a bi-directional communication link whereby a remote user is able to play a video game on said system (see claim 8). That at least indicates that either a processor or other game cartridges can be connected to said port and allowing other user or remote user to play an electronic game from using said cartridge. As a result, claims 1-16 and 25-30 are finally rejected.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (571) 272-6784. The examiner can normally be reached on 7:30 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ronald Laneau
Primary Examiner
Art Unit 3714

10/24/07

rl